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ABSTRACT

This report examines the living and working conditions of adolescent migrant farmworkers. Interviews were conducted with 216 youth working during peak harvest time in six states, as well as with adult farmworkers, family members of working youth, and farm labor contractors. Most of the youth were 14-17 years old, although a few had begun work as early as 11; were overwhelmingly male; and were living on their own. Very few were U.S. citizens or legal residents. Originating primarily in Mexico and Guatemala, a surprising proportion were indigenous. Adolescent farmworkers lived in the most marginal conditions within an already marginalized population. Housing was extremely crowded and substandard. Seventy percent of interviewees had only an elementary education or less. Those with at least some secondary education were generally interested in furthering their education. Migrant youth working in agriculture suffered many threats and risks to both their physical and mental health. This report makes extensive recommendations concerning needs for: longitudinal research to guide new initiatives; new educational program designs to serve out-of-school migrant youth, particularly in the areas of English language learning, numeracy, and lifelong learning skills; expanded eligibility for federal job training programs; enhanced legal protection of working youth and enhanced enforcement of existing regulations; improved migrant health programs and migrant housing; and new strategies to manage the influx of transnational migrant youth into the U.S. farm labor market. (Contains 38 notes.) (SV)

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ED 469 135

No Longer Children

Case Studies of the Living and Working Conditions of the Youth who Harvest America's Crops

Executive Summary

Based on research conducted by Aguirre International during 1999-2000 under contract with The Office of the Assistant Secretary for Policy, United States Department of Labor. The analysis presented here represents the conclusions and recommendations of the author and does not reflect the views or policies of the U.S. Department of Labor.

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Introduction

In this report, we present a summary overview of the findings and implications of the full research report from our study—a 200 pp. document which provides a detailed picture of working youth in all the case study communities–based on our ethnographic observations and talks with youth working in farmwork, their relatives, adult farmworkers, service providers, and labor contractors. This current executive summary is organized so as to provide, first, an overview of the study research design, followed by snapshots of the lives of a few of the youth with whom we talked, a summary of study findings, and a discussion of the practical and theoretical implications of these findings.

Research Design

This report on the living and working conditions of minors under 18 years of age who work in agriculture is based on talks with 216 children and youth working in agriculture, as well as with adult farmworkers, family members of the working youth, farm labor contractors and other labor market intermediaries. The research design also included observations during peak harvest time in Florida, Georgia, North Carolina, and New Jersey in the Eastern Migrant Stream and California and Oregon in the Western Migrant Stream.

Case study areas were defined in relation to the sequence of crop-tasks in several major migrant circuits. These include: the tomato harvest in Florida and Georgia, the blueberry harvest in North Carolina and New Jersey, the strawberry harvest in Central Coast California and Oregon, and the Madera-Fresno County raisin grape harvest.

The field research also included observations and discussions in a major migrant-sending area of Mexico, Hidalgo state, and in southern Arizona, an area through which the majority of transnational migrant youth travel on their way to work in U.S. agriculture.

The research design was developed during the fall of 1999 and field research took place during the period from January through October, 2000.

Who are these youth? Snapshots of A Diverse Labor Force

Most of the teenage workers employed in harvesting labor-intensive crops in U.S. agriculture are transnational migrants. Thus, an important foundation for understanding the world in which these teenagers live and work is to understand the dimensions and diversity of this transnational regional labor market. The Eastern migrant stream areas we studied are dominated by Mayan and Zapotec workers while the Pacific Seaboard has more Mixtec and Triqui migrants. But even within a single village network there may be differences in family arrangements and access

to migration network resources. Below we provide a few snapshots of the 216 young workers we talked to.

A fairly typical Florida teenage farmworker is Dionisio, a 14 year old from the area around Frontera Comalapa, Chiapas.[1] Dionisio first began to work in farmwork at the age of 13. He had secured his parents' permission to stop working on their *milpa* where the family grew corn and beans for household use and peanuts to sell so as to come north. He came north with four acquaintances from his village and had $300 in his pocket for trip expenses but then found this would not be enough to get to Immokalee. His group made an arrangement in Sonora to pay $1,000 to be taken across the border and past the INS checkpoints to the Phoenix area and, then another $800 to be taken across the country. This $1,800 for the cross-country travel was to be deducted from their earnings, meaning they would be held in indentured servitude until the debt was paid off. They were first taken to Tennessee (he does not know where) and then brought to Immokalee. Like most other workers he pays $25 per week in rent. Although he has an uncle who has, from time to time worked in Immokalee, Dionisio was on his own when we talked with him, living with friends. As he is an only child, he told us his parents are lonely and that he, also, misses them very much. Dionisio is working for a *pintero* picking tomatoes and is earning between $30 and $40 per day. He is paid weekly in cash. Although his earnings fluctuate with the market, he never works less than three days a week and he usually works 4-5 days per week.

Ezequiel, from Santa Cruz Xitla, one of the Zapotec migrant-sending villages in the Miahuatlan District of Oaxaca which sends migrants north to the U.S. provides an example of how a network's migration experience can pay off. At the age of 16, Ezequiel asked his father's permission to stop helping him make baskets for sale in Oaxaca City and come north. His father borrowed $1,000 (at the higher-than-average interest rate of 15% per month—perhaps because he was an artisan, not a landowner). Ezequiel came north with ten men, most of whom were friends or acquaintances from his village. One of this group of friends had been to Immokalee before and knew which buses to take to get to the U.S. border and led their group north. Their group's leader already knew a *coyote* who would cross them into the U.S. for only $500 and then charge them only $400 to come the rest of the way to Immokalee. Thus Ezequiel's entire trip cost only $900.

The case of Jose Luis, a 14 year old Mixtec worker we interviewed in Madera, California provides a good example of how the Mixtec dispersed network differs from some of the other transnational migration networks sending teenage workers to the United States. Jose Luis' family was originally from Santa Catarina in the Juxtlahuaca district of Oaxaca but he was born in Ensenada, Baja California. Jose Luis has never been to Oaxaca himself. He has worked in U.S. agriculture since he was 12 years old so he is now familiar with tomatoes, strawberries, and grapes; before that he picked tomatoes in Baja California. The last time he came to the U.S., he crossed the border near Tijuana easily but then had to pay $800 for the *raite* to Los Angeles, where his father (who was working in Madera) picked him up. At the time we talked

to him during the raisin harvest, Jose Luis was living with his uncle in Madera, since his father had already returned to Baja California.

There are still other variations with respect to household arrangements. Elena, a 16 year old worker was interviewed where she camped at the edge of the Fresno River in the middle of the raisin grape harvest; she shared a van with four other family members—her father, her uncle, and two other relatives. Elena's parents live in Santa Maria, California but she had been raised by her grandmother in the family's home town of San Juan Mixtepec, in the Juxtlahuaca district of Oaxaca because her parents and brothers were already in the U.S. She first came to the U.S. in February, 2000, crossing the Sonoran desert in the company of her brother. She began to work in strawberries immediately upon arriving in Santa Maria. Although the family was homeless when we interviewed them, they had kept a room they rent in one of the crowded hotels of Santa Maria. Elena had managed to finish two years of *preparatoria* in Oaxaca indicating that she was a good student but she is now in the U.S. to make money.

Often groups of brothers and their friends come north together. We talked to four young Mayan men—Alfonso, Fidel, Oscar, and Gerardo-- from San Antonio Las Rosas, Chiapas who we met at a homeless shelter the evening they arrived in Immokalee, Florida. We talked with them after having given them a ride to pick up their few belongings from the porch of a house where a woman had let them leave their bundles while a brother, the fifth in their traveling group, went to look for a place where they could find room to live. Of this group, two are teenagers—one is 15, the other 16. Their Spanish is noticeably limited. The brother who was house-hunting had come to Florida in 1999 and he was the one who brought them northward. They each paid $1,900 for the trip north, but even so they were apprehended on their first attempt to cross from Sonora into Arizona and had to spend an entire week in the border area before successfully crossing on their second attempt.

In Oregon, we interviewed three young women who had come north together. These Triqui sisters, Tomasa, and Magdalena in their early 20's and Reina, who is 12, are from San Martin Ituñoso—a village a few kilometers off the main road from Putla to Tlaxiaco. Because Magdalena was pregnant at the time they came north, the other two sisters ate less traveling through the desert so she would have enough food. When they arrived in Madera, California they knew no one, although they had heard there would be work there. They had come to Oregon on their own by going to a store in Madera frequented by *raiteros* who offer to take people to Oregon. Although they were working in the strawberry harvest at a time when work was very slow they were not aware of U.S. minimum wage requirements or any other provisions of labor law.

Antonio, an 18 year old Mixteco from Tlapa, Guerrero in the Sierra Mixteca, had a more circuitous route into U.S. farmwork. Since he has been in the U.S. for four years, Antonio has had varied work experience. After starting to work in a Manhattan restaurant at age 14, and subsequently coming to do Immokalee tomatoes he is clear that he does not like tomato harvesting On the *dia y daime* piece rate he said he could sometimes make $60-$70 per day

but that, at other times, he would make only $30-40 per day. He has managed to send money home as he had originally planned but he is now tired of the U.S. and plans to go home in May when work in Immokalee is over (although he is also thinking of returning to New York City).

Antonio shares a trailer with nine friends, each of whom pays $25 per week for rent. Antonio met the friends he lives with in the park. Since his sisters are in New York, he has no relatives in town and the friend who first brought him to Immokalee has moved on to work in day labor outside of agriculture. Antonio talked with us about the social environment in Immokalee, saying, "In Immokalee, one comes to perdition. People get into drugs. My friend didn't used to drink or smoke. Now he does everything; he smokes whatever." Antonio had called his sisters the previous week, asking if he could go back to join them in New York City where they live and work. He asked if they would take him in and they agreed they would and that they would also help him find a job there. Antonio tells us his sisters worry about him, that they think he has gotten involved in drugs and "everything that's going on here." But, he says, "I don't go out at night any more . . . it's very dangerous here."

Subsequently we began to suspect that Antonio may not have escaped entirely unscathed from the "vice" of Immokalee as we ran into him at the Guadalupe Center which runs a soup kitchen and then, later in the day on main street where he was drinking beer with a group of older men. He said he had overslept and missed the shape up. Two days later, we saw Antonio again, sitting on the bench at the bakery with other men who had not managed to get up in time for work or get work at 9 a.m.—a time of day when almost all motivated workers have already left for the fields.

These profiles represent the stories of only a few of the youth we talked to but they clearly show how diverse their circumstances, experiences, and aspirations are. The challenge for policy-makers, social program planners, and advocates is to take into consideration these real dimensions of personal life in efforts to forge immigration policy and social programs which represent a rational and practical approach to the needs of these diverse individuals and the diverse communities and networks within which they live.

Summary Findings from the Case Studies

1. Prevalence of Children and Teenage Workers in U.S. Agriculture

Working teenagers (14-17 years of age), pre-teens and very young teens (11-13 years of age) make up only 6-10% of the harvest labor force in the case study communities. These findings are consistent with national-level estimates of youth employment based on the Department of Labor's National Agricultural Workers Survey (NAWS) which indicate that about 7% of all SAS farmworkers are between ages 14 and 17. Our best estimate is that there are about 156,000 youth under the age of 18 who work in U.S. agriculture during any single year.[2]

2. Gender of Children and Teenagers Working in Farmwork

Approximately 8% of the child and teenagers working in farmwork are girls or young women. The youngest of these female workers are children working with their parents. However, these girls make up a very small proportion of the labor force—probably less than 1% of the workers who are minors. The young female workers who are transnational migrants include teenage wives who migrated north with their husbands, sisters travelling together, and young women accompanying their parents. These young women are of childbearing age and a significant proportion may leave farmwork temporarily or permanently to give birth and raise children. A recent analysis of Mexican data indicates that, although women remain a small minority of the transnational migrants, the proportion of minor female migrants seems to have been increasing rapidly over the past three years.[3]

3. Age Distribution of Children and Teenagers Working in Farmwork

Agricultural employers and farm labor contractors (FLC's) express a strong preference for hiring workers who are at least 18 years old—although it is legal for younger teenagers to work in the crop-tasks we observed (although not during school hours). Some FLC's and growers implement this policy against hiring younger teenagers or children. However, there is not a strong commitment to actually excluding younger teenagers. There is widespread reliance on falsified immigration documents (*micas*) that also routinely falsify teenage workers' age.

The pre-teens (and a few 14-16 year olds) we talked to who were working in farmwork sometimes had difficulties in working because they looked too young—but while they were not allowed to work from time to time, often they were.

Table 1 on the following page shows the age at which the children, youth, and young adults we talked to first worked in U.S. agriculture and compares the age at which these harvest crop-task workers first worked with 1993-1998 NAWS reports of the age at which interviewees 14 through 22 years old said they had first worked in agriculture.

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Table 1
Age First Worked in U.S. Agriculture–
Youth and Young Adults Currently Working in Farmwork

Age Began Farmwork	Eastern Migrant Stream N=89	Western Migrant Stream N=121	Overall Total Current Study N = 210	NAWS Respondents (N=4,171)
11-13 years	8%	20%	15%	13%
14-15 years	17%	21%	19%	13%
16-17 years	24%	30%	28%	23%
18+	51%	29%	38%	51%

We attempted to interview the youngest workers we could find in each of the case study communities, but we neither interviewed nor heard of children working before the age of 11. The youngest child workers we talked to had been 11 years old when they first worked in U.S. agriculture.[4]

An important factor in determining the current composition of the farm labor force is agricultural employers' preference for unaccompanied workers for peak season work and reluctance to house families with young children—the justification given being the need to make the limited housing available to "real workers," not dependent spouses or children.[5] Thus, the decreasing prevalence of children working in agriculture stems, in part, from decreasing reliance on family crews—although summer programs for the children in families who do continue to migrate are probably a factor also.[6]

4. Immigration Status of Youth Working in U.S. Agriculture

The youngest farmworkers are generally the most recently-arrived transnational migrants (although a few very young local teenagers and farm family youth work in operations such as packing). **Table 2** below reports the immigration status and length of time in the United States of the young farmworkers we talked to in the course of our field research.

Table 2
Length of Time in the U.S. and Immigration Status

Status/Time in U.S.[7]	Eastern Migrant Stream N=81	Western Migrant Stream N=133	Overall Total N = 214
Unauthorized Recently-arrived (<2 years)	69%	79%	75%
Unauthorized Live in U.S. (2+ years)	24%	19%	21%
Legal Permanent Resident	2%	1%	2%
U.S. Citizen	5%	1%	2%

The demographic composition of the current farm labor force is affected by two countervailing trends—the rapidly escalating cost of migration and the erosion of wages and working conditions in U.S. farmwork as labor surpluses continue. The high cost of migration induces newly-arrived migrants (both teenagers and adults) to remain in the United States for a protracted period of time once they have arrived while the high costs of living in the U.S. encourage return migration.

Many of the recently-arrived youth we talked to were profoundly unhappy—because of separation from their parents and siblings, because their earnings were lower and working conditions worse than they had expected, and because so much of their earnings went to subsistence in the U.S., allowing them to send money home on only an irregular basis. We do not know how long these youth will remain in the United States but we do know at least that many intend to return home. These youth will be replaced by newcomers, assuring that there will be continued churning of the farm labor market.[8]

If the baseline for overall fieldwork labor force replacement is about 7% per year—assuming that the typical effective working life for a field worker is about 15 years and that there is a workforce of about 1.8 million farmworkers in seasonal agricultural services (SAS)— the influx of newly-arriving youth coming to work in U.S. agriculture is probably 30,000-40,000 per year.[9] Moreover, the ratio of newly-arrived (<2 years) youth to medium-term transnational migrants (2+ years) among the unauthorized teenage workers is quite high – 3:1. This would seem to indicate a fairly high turnover rate within this segment of the farm labor force and, also, an accrual of 10-15,000 newly-arrived teenage farmworkers per year remaining in U.S. farmwork, while 10-15,000 of the teenage transnational migrants turn 18 and "age out" of this population each year and an unknown number return home after one season of work in the United States.[10]

5. Ethnicity of Children and Teenagers Working in Farmwork

Because the youngest farmworkers are recent migrants, they reflect the ethnic composition of the transnational migrant networks that are currently most active in sending workers northward. The ethnic composition of the population of teenagers working in agriculture is at once a result of differential rates of current migration and an indicator of the future composition of the farm labor force.

The case study areas and crops are all major labor-intensive production areas where migration networks based in Mexico and Guatemala are active. Nonetheless, we sought, in the course of our field research, to talk to <u>all</u> the youth who were working and, thus, found the extent of indigenous networks remarkable. More than three-quarters of the transnational migrant youth we talked to were ethnic minorities.[11] The leading indigenous networks now sending migrants to the case study areas are: Mixtecs, Zapotecs, Triqui (from Oaxaca), Maya (both from Huehuetenango and Chiapas), and Otomi (from Hidalgo). While the overall proportion of

indigenous youth at the national level is likely to be lower than in our study areas, this indicates, nonetheless, a dramatic shift in the ethnic composition of the U.S. farm labor force.

The shift in ethnic composition of teenage farmworkers is important because it further fragments the farm labor force—with increasing numbers of youth from smaller village and ethnic networks who are more vulnerable to exploitation and more hard-pressed to get help when they encounter difficulties. These new transnational migrants are not simply ignorant of mainstream U.S. society; they also know little about the "ropes" of life in the particular universe of U.S. farm labor—how to get a phony *mica*, the typical ways in which some farm labor contractors and agricultural employers cheat their workers, and how much it costs to get a check cashed. Their lack of knowledge and personal relationships networks puts them at risk because they are more dependent than more experienced farmworkers on labor market intermediaries—*raiteros*, *troqueros*, *contratistas*, *mayordomos*, and such.[12]

6. Migration to Agricultural Work in the United States

Young men and women's participation in U.S. agricultural labor markets tends to begin with negotiations, within households, about whether youth will migrate north and, if so, when. An important reason why there are virtually no pre-teens and relatively few 14-15 year olds among the foreign-born migrant labor force in the areas where we conducted the case studies is that a substantial investment ($1,000-$2,000) is required to send a migrant worker north to work in the United States. Families, relatives, and employers sponsoring an illegal migrant are reluctant to invest what is for them a huge sum of money in sending children north since scarce savings are best spent on helping the most productive possible workers (teenagers and young adults) migrate north.

Table 3 below tabulates migration costs including: transportation to the U.S. border, border-crossing, transportation past Border Patrol checkpoints, and from a post-checkpoint *raitero* pickup point in the United States to their first U.S. farm labor job.

Table 3
Payments to Immigrant Smugglers

Amount Paid to Immigrant Smugglers	Eastern Migrant Stream (N=45)	Western Migrant Stream (N=97)	Overall (N=142)
<$300	2%	7%	6%
$300-$800	40%	38%	39%
$801-$1,300	22%	33%	29%
$1,301-$1,800	22%	19%	20%
$1,801+	13%	3%	6%

We tabulated the teenage transnational migrants' accounts to determine what travelling arrangements they had made to come north. Almost half (45%) had come north with a sibling, with other relatives, or in a traveling group made up of both relatives and friends. About a third (34%) had come without any relatives but with one or more friends; thus only one out of five (22%) had come on his own.[13] Many teenage men migrate with cousins, brothers, or uncles. At least among the Mixtec, Triqui, and Zapotec networks, some sisters are beginning to travel northward together.

However, even when families' networks made it possible to assure that a very young teenager being sent north to work will be able to join a brother, sister, or other relatives, there is some reluctance to send them north because the uncertainties of navigating within the migrant circuit are a constant concern. When the "landscape" of the U.S. is not well-known and fellow migrants have no permanent address or regular way to be reached even when they do stay in one town, the only way for family members to connect is via calls home to a sending village and it is well known that some young migrants disappear for long periods of time or, perhaps, forever. While these risks are mitigated by reliance on trusted ***coyotes, even then*** it is known that problems may arise.

7. Crop Tasks Performed by Children and Teens Working in Farmwork

Contrary to our expectations, teenage workers were generally doing the same work as adults in the case study areas. Because harvest work is increasingly structured to make use of groups of unaccompanied male workers and to discourage families of migrant farmworkers, there are fewer opportunities than there have been in the past for children and young teenagers to "help out" as unpaid workers in a family crew. Nonetheless, although most of the minors are young men working on their own, we found some children working with their parents—in North Carolina blueberries, Florida tomatoes, and in California in Ventura County strawberries, and Madera-Fresno County raisin grapes.

Local teenagers had access to non-harvest tasks which were not available to foreign-born migrants. This meant that they were thereby exposed to greater risks of work-related injury than the foreign-born migrants because they were more likely to be working near processing plant equipment, driving tractors, trucks, or using power tools while foreign-born migrants worked primarily in field harvest tasks.

Table 4 on the following page reports our analysis of NAWS data regarding the leading crops in which 14-17 year-olds work as compared to the crops worked by adults 18 years of age or older.[14] The patterns observed in the NAWS data are consistent with our field research observations in the community case studies.[15]

Table 4
Crops in Which 14-17 Year Old Farmworkers Have Worked

Crop	% of 14-15 Yr Olds Who Have Worked in Crop (N=301)	% 16-17 Yr Olds Who Have Worked in Crop (N=486)	% of 18+ Workers Who Have Worked in Crop (N=12,593)
Orchard Fruit**	8%	13%	21%
Citrus**	7%	4%	11%
Spring Vegetables*	21%	13%	19%
Summer Vegetables*	26%	19%	19%
Winter Vegetables	5%	6%	4%
Grapes*	6%	7%	15%
Tobacco*	6%	16%	13%
Nursery, Greenhouse, Flowers	15%	11%	13%
Berries	4%	4%	5%
Mechanized Crops*	16%	12%	11%
Miscellaneous "Minor" crops*	11%	21%	7%
Melons	3%	5%	4%
Potatoes	2%	4%	4%
Non-Farmwork Employment*	12%	28%	23%
Time Abroad*	15%	34%	38%

a/ Differences in the proportion of each group working in crop are noted with one asterisk when there are statistically significant differences between adults' and either younger or older minors' work and with two asterisks when there are differences both among all three sub-groups-- the younger and older teenagers and the adults.

b/ Analysis based on all crop-tasks worked by each respondent, not simply crop-task at time of interview. Percentages working in the crop are computed as % of all farmworkers in each group who have worked at least 1 day in the crop, rounded to the nearest whole percent.

There is no statistical support for the view that children are over-represented in several of the major crops where there has historically been contention as to whether their labor is essential—blueberries, raspberries, strawberries, and grapes (including raisin grapes).

The most significant differential patterns of crop work to be observed in the NAWS data are that teenagers work much less in orchard and citrus work—probably because this work is generally recognized as being more dangerous and, thus, there is more of an emphasis on preferential hiring of adults. This is good news; however those children and teenagers who do perform these crop-tasks do face significant risks.

The data on tobacco also bears note—since relatively few of the younger teenagers work in tobacco while older teenagers are slightly more likely to work in tobacco than adults. While it is good news that the younger teenagers work less in tobacco than the 16-17 year old teenagers

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and adults, it might be desirable to see even fewer teenagers working in tobacco. It might also be desirable to see lower proportions of young teenagers working in mechanized crops where there is greater risk of injury and, presumably, more chance of OSHA violations.

Because foreign-born migrant youth work in the same tasks as adult farmworkers when they do work, the typical work week for them is more than 40 hours per week during the peak harvest season. Therefore virtually all of the teenagers in our study who worked in the Florida winter tomato and citrus harvest as well as the teenagers working in spring strawberry harvest tasks in Florida, Georgia, and California were working in violation of state and federal law most of the time.

8. Living Conditions of Children and Teenagers Working in Farmwork

The children and teenagers who work in farmwork live in the most marginal conditions to be found within an already economically marginal population. Most are young men or women who, as recently-arrived transnational migrants, occupy the riskiest niche within a labor force plagued by chronic underemployment and unemployment. Those we talked to in our case studies who do live with their parents are from households which—for one reason or another—are even poorer or more unstable than others.[16] The children of the "elite" among America's farmworkers, the core labor force who are bona fide farmworkers but who drive tractors, irrigate, or do a variety of general year-round tasks as part of a favored long-term core labor force are much more likely to go to school (but perhaps not stay in school) than youth from the more marginal farmworking families.

Housing is always extremely crowded and usually (but not always) in disrepair. In Immokalee, groups of men who are transnational migrants live 8-10 to a trailer, or 6-8 in a small traditional shack with one or two rooms. In Oregon's Willamette Valley, there are also 6-8 persons in each cabin or, in some instances, a bunkhouse for men who are on their own. In Madera and Fresno counties, in California, housing may be in a crowded apartment, a garage, someone s backyard, or a single-family home with between 8 and 20 people living in it. In Ventura County, California, teenagers may live in a crowded multi-family household in a single-family home or share a motel room with 6-10 people; we have heard of a housing unit in the Oxnard area, where more than 60 workers, some of them teenagers, are camped.[17]

Life is stressful because of ongoing pressures about how to pay the rent, about sharing of household duties in large, complex households, lack of sleep, communal and often broken toilet facilities, irregular eating arrangements and constantly-shifting dynamics as housemates' relatives arrive and ask for a place to live and as other housemates leave, requiring that their place be filled by someone else.

Particularly in labor camps but, also, in crowded apartments, trailers, and single family dwellings, workers complain about having to line up to take showers after work or to get into the kitchen to prepare food. In the labor camps, cooking facilities are often simply hot plates

with two burners. In on-farm labor camps, food stores are distant and workers without transportation need to make special arrangements to go buy food (often relying on the crewleader or FLC and obligating them to him). Food in these stores is typically expensive and with little time or energy for cooking, the temptation is to buy snack food, despite its high cost.

Youth in "ad hoc" households made up of casual acquaintances, and/or co-workers worry about losing valuables (i.e. tape/CD players, CD's, running shoes, cash). Naturally, life is still more stressful during spells of homelessness when arriving migrants camp out in the orange groves of Arizona while waiting for a *raitero* to take them to farmwork on the East Coast, in the ravines of northern San Diego County, or Madera County grape vineyards.

Table 5 below tabulates the type of households in which the young farmworkers we talked to lived—distinguishing between the households of unaccompanied males who are living in a household with at least one extended family member and those where farmworkers are living in households of *paisanos*, co-workers, or friends without any relatives.[18] These differences are, we believe, very important in determining many aspects of teenage workers' lives since, in the households where unaccompanied teenage transnational migrants live with extended family members there is, if not clear-cut parental authority, at least a measure of adult concern about working minors' well-being. However, these households of unaccompanied males seem to be somewhat fluid; thus, some teenage farmworkers who live, at times, in households with relatives from their extended family, also live part of the year in households consisting entirely of unrelated friends and co-workers.

Table 5
Living Arrangements

Household Type	Eastern Migrant Stream N=86	Western Migrant Stream N=107	Overall Total N = 193
Unaccompanied male household w/out family members	42%	41%	42%
Unaccompanied male household w/ family member	21%	27%	24%
Extended family or multi-family household	14%	18%	16%
Nuclear family household	23%	14%	18%

Table 5 shows how specific network composition and differences in migration costs contribute to determining household arrangements in the upstream migrant nodes where farmworkers congregate in the United States. The Western stream appears to have a slightly higher proportion of youth living in extended family households or in unaccompanied male households with a family member because the Oaxacan networks are so well established in California and Oregon and because the cost of migrating to the East Coast is higher and, thus, discourages shuttle migration and encourages settlement.

Social norms in these transnational migrant networks distinguish between young teenagers 14-15 years of age who are seen as being at an ambiguous point in the transition from childhood to independence as young adulthood while youth 16 years of age and older are generally considered to be young adults. These nuances of social dynamics become important in considering the risks faced by adolescents living in the farm labor environments. We consistently heard a degree of uncertainty and ambivalence on the part of older housemates and co-workers as to what they should or might be able to do to keep teenagers from getting involved in "bad things," i.e. drinking, drugs, and frequenting prostitutes.

In general, village and kinship networks have a positive influence on the well-being of teenage farmworkers but we have also heard accounts of how peer pressure can have a negative impact—to chip in to buy a few six packs of beer, a few packs of cigarettes, or to join other housemates in having sex with a prostitute who comes to the house in search of business. Thus, there is clearly a broad spectrum of housing arrangements for teenagers—ranging from low-risk households dominated by a closely-knit nuclear or extended family networks to high risk households shared by teenagers living on their own with co-workers and casual acquaintances.

9. Education and Aspirations of Children and Youth Working in Agriculture

Most of the children and youth who we talked with who were working in farmwork had left school in Mexico or Guatemala at an early age—having dropped out of elementary school, after completion of elementary school, or from *secundaria* (7^{th} – 9^{th} grades). Of the 154 young farmworkers we talked to about their schooling, only five (3%) had attended school in the United States.

Table 6
Educational Attainment

Years of Schooling	Eastern Migrant Stream N=69	Western Migrant Stream N=85	Overall Total N = 154
Less than elementary (0-5)	33%	40%	37%
Completed elementary (6)	42%	25%	33%
Secundaria (7-9)	6%	22%	15%
Preparatoria , HS, or more (9+)*	19%	13%	16%

** This includes 3% of the working teenagers who have attended high school in the U.S.*

We found a very broad spectrum of educational aspirations among the youth with whom we talked. Even though more than two-thirds (70%) had only an elementary school education or less, these youth had left school for a variety of reasons. Although all have come to the United States to do farmwork, many, perhaps half, are interested in eventually finding other careers. All express a degree of uncertainty as to whether these sorts of ideas are (idle) "dreams" or possibly personal pathways for getting ahead.

The remaining one-third of the youth who had reached *secundaria* and begun, or even completed, *preparatoria*, or attended junior high or high school in the United States are, with respect to prevailing patterns of schooling in Mexico, educational high achievers. We heard from many that they were reluctant to leave school. Some of those who had left school in Mexico said they had left because they were the eldest son, some because their families "were really poor", some because of the "politics" of getting into the university system. While most, like their less-educated co-workers, have come to the United States to earn money, they are interested in education and learning and represent a substantial potential market for learning services. We suspect that they will have a competitive advantage in U.S. farmwork, since there is some upward mobility for workers with a sound foundation of basic literacy skills. These youth are, in fact, those most likely to eventually settle in the United States since they are the most likely to manage to make at least a modest living in farmwork.

What emerges from these observations and our review of the literature is a strong sense of the extent to which cultural values, institutional practices, and prevailing attitudes regarding education are in flux.[19] While the research (Willis 1977) shows clearly that prevailing patterns of work can create value systems that undermine education, for example, as boys come to see work instead of schooling as a "masculine" career path, this social pressure is offset by Mexican social policy and active promotion of education. While teachers' and schools' expectations regarding children's education still continues to vary by gender, social class, and ethnicity, here too a process of change is underway.

10. Health and Health Care Needs of Children and Youth Working In Agriculture

Most of the crop-tasks performed by the children and youth we talked to in the case study communities—most commonly tomato, bell pepper, or chile picking, berry-picking, raisin grape harvest—are not normally associated with acute injury as are crops and tasks involving tractor use, knife use, or moving parts.[20] However, one of the crop-tasks in these case study areas, tobacco cutting, is more problematic—because the task involves use of a sharp tool and because of exposure to tobacco which has high levels of nicotine.[21] Farmworkers—both youth and adults—who work in tobacco complain of nausea and headaches and there seems to be some evidence of adverse health effects.

It is important to recognize also, that other agricultural tasks in these communities—most notably work in packing sheds—is likely to be more risky due to proximity to power equipment; it is widely known that young teenagers work in some of these jobs (sometimes in violation of OSHA regulations). However, on the occasion we had to observe packing shed work, the children and teenagers working with packing machinery were at least well supervised

But teenagers face other physical dangers in traveling the migrant circuit. For the primary sub-population of teenage workers, the transnational migrants, it is not possible to separate the risks of migration from the general working conditions in the U.S. farm labor market—since worker recruitment may actually take place in Mexico and since, even when it does not, travel

northward to the U.S. border, crossing the border, getting past immigration checkpoints, getting transported to a labor demand area, and getting linked up with an employer are all part of a single process of "getting up and going to work."

The first of these health risks are physical. Most of the transnational migrant youth we talked to who had entered the United States through Arizona or the mountains in the Tecate area of Baja California told us they were hungry during the two to three days they spent walking through the mountains or desert. Heat exhaustion, dehydration, and death from freezing are well-documented risks.[22]

Moreover, for all workers, and especially younger teenagers, there is a well-founded worry that one may be separated from the people one knows in a border crossing group—apprehended oneself by the Border Patrol or left stranded as a stranger among those who run fast enough to escape. We talked, for example, to a young Mayan from Chiapas who we met in Arizona, the day after he had been separated from his *paisanos* who had come north with him from where they were working in tomatoes in Caborca, Sonora.[23] He was clearly traumatized. He was separated from the only people he knew and had missed his pre-arranged "ride" to East Coast farmwork. He was ravenously hungry, broke, in a place he only knew of as a well-known underground market where one could be dropped off to be picked up by a *raitero*, going someplace to do farmwork without knowing where that place would be.

Once arriving in the United States, transportation across country by a *raitero* from Arizona, the San Diego area, or south Texas also presents dangers. Cross-country transportation with *raiteros* may often involve non-stop travel in a van without seatbelts. On December 4, 1999, for example, a van with 17 undocumented migrants from Chiapas on their way to East Coast farmwork smashed into a truck stopped for another accident in Eastern Colorado. Thirteen of the migrants were killed—in part because the van not only lacked seatbelts, it also lacked seats—since it is possible to fit more passengers when the seats are removed. It was suspected, but not known for sure, that the van driver was sleepy [24]

We did not systematically ask about seat belt use but we heard of many cases in which migrants made the cross-country trip from Arizona to California or to the East Coast lying down in a crowded van or truck without any seats at all. We also heard of groups of migrants joining together to buy an old car to cross the country; we suspect that in many of these cases, the driver is fairly inexperienced.

Beyond the immediate, direct health risks of getting to farmwork and doing farmwork but within a broader analytic framework, teenagers' participation in the farm labor force raises additional public health concerns—the most serious relating to the socio-behavioral consequences of youth's farm labor market participation during adolescence.

Full-time participation in a labor market where there is the constant threat of not finding work and ending up without shelter or food in any given week is not appropriate or healthy. Early

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adolescence is a developmental period during which it is important for youth to devote a good deal of attention to assessing their skills, values, and interests, explore career options, and formulate aspirations about what career trajectory makes the most sense for them and how to pursue such a career. An immediate and inevitable consequence of working in farmwork where the most common mode of payment is piece rate is that the primary indicator a teenager has of his or her own worth and identity is how much money one has made in a day, or a week, or a season. Quite tangibly, a teenage worker's identity tends to be seen reductionistically in an environment where workers are even referred to as "arms" or "hands," i.e. units of labor.

As we have described elsewhere, labor market intermediaries—*raiteros*, *contratistas*, landlords, storeowners—develop what we consider artificial support networks to provide a variety of services to recently-arrived transnational migrants while mimicking the functioning of extended family and village networks. The social dynamics of these networks rest on a variety of ambiguous interactions which can be seen either as being altruistic or exploitative or both. Typical of these relationships are those in which a *raitero* or other labor market intermediary extracts from a recent migrant a payment for the "help" they have given. When, as is often the case, the recent migrant does not have the cash to pay up front for this help, the debt is guaranteed by a reciprocal obligation which is, at best, voluntary indentured servitude, at the worst, slavery.

Reports of a **March, 1999** arrest of two Immokalee-area labor contractors, the Cuello brothers, indicate that 6 of 26 workers held in captivity in two trailers outside of Naples were minors.[25] This was an extreme, but not unique instance.

Careful analysis of network configuration has a good deal of promise in providing indicators as to the likely prevalence of worker exploitation—since exploitation is more common in the "artificial network" settings which simply mimic mutual reciprocity than in bona fide extended family and village networks where there are more constraints on illegal and exploitative behavior. For this reason, we believe that the working and living conditions faced by teenage transnational migrants are generally worse in the Eastern Migrant Stream than along the Pacific seaboard—in part because of the functioning of the well-established Oaxacan village networks in the West.

In addition to the psychological threats present in the farm labor market, transnational migrant youth in several of the case study communities felt themselves to be in physical danger from local youth—who might mug them to rob the cash they were carrying. And, in fact, transnational migrants are vulnerable because it is not possible to open a bank account without a Social Security number. Moreover, younger indigenous teenagers are probably even more at risk because of their small stature.[26]

The economic unpredictability of farmwork is another stressor in the lives of all teenagers working in farmwork, but particularly recently-arrived transnational migrants. With monthly interest charges of 10% on loan advances for payments to *coyotes* and *raiteros*, a constant and

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prominent economic preoccupation of young men is to earn enough to pay off their loan. Thus, they worry about when work will start, how many days or hours of work there will be, whether they will be cheated out of their earnings, and what will happen when they need to move on to find work in a new area. It is virtually impossible for transnational migrants to pay such loans off in less than 2-3 months.[27] In a culture of *nortenizacion* in which a young teenager sets off northward acutely conscious that the eyes of his entire family and perhaps his village are on him—waiting to see how much money he will send home—inability to send remittances is a cause for substantial anxiety.

Social life in communities such as Immokalee where there is a remarkable gender imbalance because of the predominance of transnational male migrants is another cause of concern. Quite concretely, prostitution is bound to be an important feature of life in communities such as Immokalee where there are large numbers of young men and few young women. These conditions are exactly the conditions that contributed to the explosion of the AIDS in sub-Saharan Africa. Thus, the risks of teenagers' contracting a sexually-transmitted disease in communities such as Immokalee may be very high—since recently-arrived migrants' awareness about AIDS transmission and condom use seems to be minimal. Fortunately, recent studies suggest that there is still a low incidence of HIV infection among Latino farmworkers but, at the same time, there is an urgent need to move proactively to develop effective prevention strategies (Organista and Balls-Organista, 1997).

Well-designed and extensive mental health research is needed—but there are also a variety of male-female problems that arise in the context of living in the transnational communities such as those we studied. Since courtship and marriage take place in a brief holiday season, children are often raised in sending village households run by women and where husbands are often gone for a year or two at a time. A consistent re-emerging theme is loneliness and sadness—of young men separated from their parents and friends, from their sweethearts or wives (and reciprocally, the sadness, loneliness, and anxiety of parents, wives, and sweethearts who stayed behind).

Implications of the Current Research

The current research has both immediate and long-term implications– for federal program planning, implementation of service programs, and for enforcement. Although our research has been focused on a specific population of farmworkers —working children and teenagers 17 years of age or younger—effective planning of services and enforcement of applicable regulations and laws cannot be targeted to this sub-group alone because the lives of these working children and teenagers are inextricably tied up with the lives of their families and friends, the transnational communities in which they live, and processes of farm labor recruitment, employment, and workplace supervision in general.

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New Modes of Binational Dialogue and Collaboration are Necessary

As a new U.S. administration and a new Mexican administration enter into a dialogue on U.S.-Mexico relations and rethinking of the implications of the U.S.-Mexico border, the time is ripe for addressing the realities of the underground economy of U.S. agricultural labor and for exploring how best to support the educational investments, career development, wellness, and employment of Guatemalan, Mexican, and U.S.-born children and teenagers who work in agriculture.

If such dialogue is to be effective, it must achieve a higher degree of candor and be based on careful empirical analysis of contemporary conditions.[28] **Neither Mexico nor the United States has given adequate attention to assessing how well their current efforts are going, which areas of service delivery and enforcement must be prioritized if there are to be real changes in the lives of children and teenagers working in agriculture. Such assessment will be needed as the basis for developing innovative strategies to address those problems which are known to be intractable.**[29]

Longitudinal Research Is Required To Guide New Initiatives

In addition to extending the policy and planning framework from its current fragmented mix of local, state, and national programmatic concerns to a comprehensive, binational frame of reference, it will be important to give close attention to the longitudinal dimension of the lives of farmworkers and the communities in which they live. Some of the most serious barriers to effective program planning, policy development, program implementation, and enforcement efforts stem from the persistence of pictures of the farm labor scene as it was almost three decades ago. These images, ideas, and mental models were true when they first were developed; but much has changed over the years.

At the macro-level of communities, states, and regions, greater attention will need to be given to the ways in which migration is changing the face of communities throughout rural America and to the social and economic dynamics of migration flows. In the "pioneering" areas which do not have a long history of migration, most strikingly the Southeastern United States, there is an urgent need to directly and systematically consider how to promote the evolution of healthy multi-ethnic communities. Florida, Georgia, North Carolina, Tennessee, and Kentucky, for example, are changing dramatically. In states such as California, Washington, and Texas which have a long history as migrant-receiving areas, increasing attention will have to be given to how to promote the social and economic integration of newly-arriving migrants—because tensions between U.S.-born Latinos, settled migrants, and newly-arrived migrants are real and will need to be overcome to assure workable communities.

Community-level initiatives will be essential because the current and future well-being of children and teenagers working in farmwork cannot be assured without attention to the social environment in which they are growing up. Longitudinal research, systematic community-level planning, and comprehensive cross-cutting action plans will be needed if there is to be hope for

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any significant change in the status quo which is a movement toward increasingly segregated communities—with segregation based not on race but immigration status.

Once again we must stress that there is a pressing need for this research to be binational—since 95% of the teenagers working in U.S. agriculture are transnational migrants. These transnational migrant teenagers' lives will unfold in Mexico, Guatemala, and the United States, but little is yet known about the factors which determine which youth will settle in the United States, which will return to their home villages, or shuttle between two countries.[30] Even less is known about the determinants of life success—development of sound foundation skills in handling information, career development, and sustainable lifelong learning and employment. Clearly, such information is critical in developing effective interventions, especially those which are based on collaborative efforts—either between governments or non-profit groups and philanthropic organizations addressing the issues faced by migrants.

New Program Designs are Needed to Serve Out-of-School Migrant Youth

Our research shows that one of the most problematic facets of the working conditions and lifestyle of the transnational migrant teenagers who work in farmwork is that during adolescence, a period of tremendous personal growth, most have no explicit support for intellectual and educational development. These youth are generally healthy; few are malnourished; but they are developmentally and intellectually compromised by lack of access to programs which provide them structured opportunities to learn. More sadly still, few can even find the time out from survival to take stock of their lives, to explore who they are, or where they would like to be heading.

Most speak little or no English and many are limited in Spanish because their primary language is an indigenous one. Clearly, if our social policy objective is to respond to their educational needs, new program designs and priorities are needed. Their most pressing needs are to learn English, improve their basic literacy skills, and be provided opportunities to meaningfully consider a range of career options.

Eligibility for receiving services from many social programs designed to meet the needs of vulnerable children and youth are conditioned on immigration status, but fortunately access to educational services is not. The Supreme Court's *Plyer v. Doe* decision affirmed the central role played by education in socializing school-age children and preparing them to participate effectively in family, economic, and civic life in the United States irrespective of immigration status.

An immediate, practical and urgent implication of our research is that Migrant Education programs designed to respond to the needs of farmworker children must include attention to strategies for responding effectively to the educational needs of these out-of-school working teenagers. Such redesign is clearly permissible within the scope of the Migrant Education program mission and, arguably, is required, since the legislative history shows that one of the

central arguments made for increasing the level of funding for Migrant Education was that such funding would make it possible to extend services to the population of out-of-school youth up through the age of 21 who had not completed their secondary education.

In order to develop effective educational programs for working transnational migrant children and youth it will be necessary to: (a) include a heavy emphasis on ESL, (b) utilize instructional designs known to be effective in working with low-literate learners, (c) incorporate mechanisms to explore the career awareness of young working teenagers and stimulate their developing greater aspirations, (d) utilize distance learning technologies to affordably reach mobile, out-of-school learners, and (e) develop customized program designs which vary from area to area in order to respond to the needs of specific populations of indigenous children and youth. Concurrently, it will be necessary to give high priority to binational collaboration to develop innovative strategies to provide transnational migrant working youth "anytime, anyplace" opportunities for learning throughout the migrant circuit they travel.

Areas of functional competencies which deserve particular attention and which should be addressed to truly prepare working farmworker youth to overcome the social and economic disadvantages they face include:

Quantitative Literacy. There has been much exciting curriculum development work in K-12 designed to build mathematics foundation skills (often with project-based learning). For the working teenagers who continue in farmwork, quantitative literacy is an important practical tool for negotiating contracts, verifying that one has received the amount they are owed, and assuring that one is paid the minimum wage.

Understanding the Social, Legal, and Political Universe of U.S. Life. The need to prepare working farmworker teenagers to understand the social, legal, and political context in which they function in the United States has been a long-term concern—because the marginalization of farmworkers and the fact that transnational migrant teenagers have usually only recently arrived means that they are not well prepared to confront the many challenges they face in this regard.

Building Generative English-language Competencies. The context of working farmworker teenagers' very limited use of English is generally in a highly structured linguistic and socioeconomic setting. Program designs that bring transnational migrant teenagers together with local bilingual and English-speaking monolingual youth in non-threatening surroundings would be tremendously useful. Peer-based learning programs with ample opportunities for cooperative learning are particularly attractive as a way to build real-world communication competency.

Building Lifelong Learning Skills. In the contemporary fast-paced information-intensive economy, career advancement and even achieving economic stability in blue collar jobs requires significant skill in navigating workplaces where occupational boundaries are not always well-defined, where technology requires workers to rapidly learn to interact with new equipment and

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re-configure their work into new sorts of teams and collaborative structures. Transnational migrant farmworker youth, who have had the benefit of growing up in a culture which values and practices mutualism have some foundation in this area. They may, nonetheless, need a good deal of help in translating these "foundation skills" in getting along with others into the teamwork, leadership, and communication skills required for "the new economy." Unless they develop such skills, they will be condemned to remain in the tertiary labor market where they are currently employed.

From a practical perspective, it would be wise to pilot any experimental efforts to extend educational services to working farmworker teenagers carefully. Because most do not have legal papers, they are suspicious of mainstream institutions and outsiders. Because these youth are often separated by ethnicity and class from local youth, mainstream programs will hold little attraction for them—and, in fact, some potential learners will be apprehensive about the possibility of conflict with local gangs or individual teenagers.

Expanded Eligibility is Needed for DOL Employment Training Programs

Eligibility for Department of Labor employment training programs is statutorily limited to program participants who are U.S. citizens or legal permanent residents. From a rational social policy perspective, it would be judicious to revise service eligibility requirements to allow transnational migrant youth program participation, since many will ultimately settle in the United States and raise their families here. The public good would be well served by allowing these youth access to vocational training and employment preparation programs.

If there were statutory and regulatory change to permit employment training program participation by transnational migrant farmworker youth, a high priority would be to offer these youth informal opportunities to learn what career options exist in the U.S. and in Mexico, what the educational and skill requirements might be for various occupations, and how one thinks about personal skills development and career advancement.

With even modest investments in developing supervisory skills, ability to lead teams and work in teams, basic skills needed to work safely and effectively with agricultural technology, working farmworker youth would be able to build on their extensive practical work experience to leverage greater employment stability and earnings. Such investments would not only benefit these youth themselves but, also, the labor-intensive agricultural industry because industry productivity is significantly limited by reliance on mediocre practices for managing and supervising field workers. This would be a promising area to explore private-public sector collaborations.

The minority of farmworker youth actively working in agriculture in the case study communities who are legal permanent residents or U.S. citizens (i.e. about 5% of all teenage migrant youth working in agriculture) would be likely to benefit greatly from participation in programs under both regular MSFW youth programs funded under the Workforce Investment Act (WIA) or,

even more directly, by targeted projects such as those eligible for funding under a new DOL initiative to discourage "child employment in the agricultural industry". The youth who are actively involved in farmwork are those with a weaker attachment to school than other MSFW dependents and one of the likely impacts of participation in well-designed programs would be to "tip the scales" in their thinking about employment more toward high-skill high-wage career paths. A small number of the unauthorized youth farmworkers we talked to are eligible for status adjustment under the provisions of the LIFE legislation passed in December, 2000.[31]

There is great diversity within the farmworker communities in all of our community case study areas and better-designed outreach efforts would be needed to effectively reach even the small population of the working teenage farmworkers who are eligible for service. Quite specifically, MSFW service providers should be encouraged to hire more demographically and culturally appropriate staff for outreach in such projects, i.e. more teenagers and young adults, particularly youth who are from the main ethnic minorities in the MSFW population such as Mixtecs, Zapotecs, and Maya.

Regulatory Change Will Be Needed to Provide Effective Legal Protection to Youth

The Legal Services Corporation (LSC) prohibition on provision of free, legal services to undocumented immigrants by LSC grantees removes the only effective tool available to transnational migrant teenagers to confront the most common problems they face— an employer's failure to pay wages owed, failure to comply with minimum wage regulations, egregious violations of housing, health, and sanitation codes by slumlords, and a range of abuses associated with debt peonage. Without the ability to seek free legal assistance, the problems faced by transnational migrant teenagers must be so severe that criminal prosecution is warranted before it is possible to actually seek **redress.**

Revision of the LSC prohibitions on representation of undocumented migrants would permit experienced but hamstrung legal services providers to begin helping transnational migrant teenagers—primarily by changing the prevailing conditions in the system which employs them.

There has been longstanding debate in the legal services community regarding the proper balance of attention to legal representation of low-income clients and more indirect strategies to address the legal problems facing low-income persons—particularly community education efforts. Our research suggests that dramatic escalation of community education efforts would be justified. Because newly-arriving transnational migrants are not simply unaware of their rights, but unfamiliar with the U.S. legal system and the issues that will need to be addressed in "defending their rights" **greater** investment in such educational efforts—including media campaigns on Spanish-language radio, more effective dissemination of existing small handbooks, and support of learning circles of farmworkers in workshops and even ongoing courses of self-study would greatly enhance workers' awareness of their rights and responsibilities. Particular emphasis will need to be given to communicating such information to limited-Spanish indigenous migrants.

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Given the housing arrangements observed in our current research, it would be judicious to give particular attention to informational campaigns which engaged small groups of co-workers, friends, housemates, and relatives among the population of unaccompanied male farmworkers using "popular education" methodologies based on self-directed learning circles. Given indigenous communities' strong sense of social networks, projects engaging groups of *paisanos* as peer educators have particular potential. It is relevant to note that, because more than one-quarter of the working teenagers have attended *secundaria* or *preparatoria*, they represent potential resources as peer educators, having quite adequate foundation levels of literacy to be rapidly oriented about the U.S. legal system.

Given the realities of transnational community life such educational efforts should be initiated in sending villages in Mexico and Guatemala at the same time that they are intensified in upstream migrant nodes in the United States. Such a workers' rights campaign, "Get Informed Before You Go North!" would be an appropriate effort to be co-sponsored by the Mexican and U.S. governments as a pilot.

Enhanced Enforcement of Wage and Hour Regulations is Feasible

Our research has some practical implications for Wage and Hour Division enforcement activities. There are two major Wage and Hour responsibilities—minimum wage enforcement and wage payment enforcement—neither of which is implemented effectively in the case study communities.[32] Our research indicates that minimum wage violations are the more common problems but that non-payment or underpayment of wages owed, while less frequent, is the more serious problems.

Without a fairly well-developed sense of the legal framework for minimum wage provisions (e.g. whether transportation time, breaks, waiting time) count in computations, most workers, and particularly the most recently-arrived youth (who have been socially and culturally encouraged to accept "things as they are") find it difficult to determine if their rights have been violated unless there are particularly blatant and systematic violations of the law. Standard regulations requiring posters about key provisions have minimal effectiveness due to the low literacy of this population. DOL-supported efforts to better inform newly-arriving workers of their rights and to enforce existing requirements requiring accurate disclosure of information on wages and working conditions would be helpful in improving minimum wage enforcement among teenage workers. DOL could, for example, contract with experienced legal service providers and worker advocacy groups to mount such campaigns.

Although piece rates are flexible in theory, in practice, they are "sticky" and tend to be established by market forces in each crop task—e.g. 45-50 cents per bucket of tomatoes in Immokalee, Florida, 14-15 cents per pound of strawberries in the first harvest in Portland area of Oregon, or 20 cents a tray for raisin grapes in Central California. Because piece rates are set to compensate workers under average production conditions, minimum wage violations increase when production difficulty is hardest, such as at the beginning or end of a season or a "second

pass" through a crop or when weather slows down the ripening of the crop being harvested. This, of course, suggests that maximum vigilance should be targeted to enforcement action when there are adverse harvest circumstances, not toward a "normal" harvest day.

Transnational migrant teenagers may have a higher than average experience of minimum wage violations, primarily because those who are most recently-arrived and working their first year in U.S. farmwork are sometimes not yet very fast workers (because they have little or no experience in the crop-task). The youngest teenagers may also not be able to work as fast as older teenagers or adults but we did not get a sense that age was an important factor in productivity for most teenagers over 14 years of age.

Individual farm labor contractor and agricultural employer's compliance with the law varies greatly and at least some patterns emerge. This presents opportunities for increasing enforcement effectiveness with targeted enforcement—not on the basis of crop-task but on the basis of employer characteristics and close surveillance of developments in local labor markets. Wage and Hour personnel do not seem to use the kinds of ethnographic investigative techniques which would permit them to efficiently target farm labor contractors and employers who are well-known locally as being exploitative. For example, the pejorative nicknames (e.g. "El Diablo") given to certain farm labor contractors and employers, reflect general community knowledge of different employers' practices. For example, if Wage and Hour units were to conduct periodic focus groups with a random sample of local farmworkers as the basis for determining if there are "clusters" of complaints about worker payment or treatment, such information could provide the basis for effectively targeted enforcement.

If the Wage and Hour division of the Department of Labor and the state agencies with whom federal enforcement personnel work were to make effective investigation of minimum wage and other economic abuses of workers a regulatory priority they could, for example, deploy undercover agents to observe and document the practices of the most egregious violators of legal provisions.

Priority Should Be Given to Enforcement of MSPA Provisions Relating to Worker Recruitment and Transportation

MSPA regulates the licensing and activities of farm labor contractors, including recruitment, transportation, and employment of farmworkers. The statute and implementing regulations make it clear that all persons who recruit and transport workers, as well as those who employ them are subject to MSPA provisions. We believe the implications of our community case study research vis-à-vis MSPA enforcement are quite straightforward. There are widespread violations of these provisions of Department of Labor regulations under MSPA.

The most, clear-cut and egregious regulatory violations that affect youth working in agriculture are related to long-haul *raiteros'* involvement in recruitment and transportation of transnational migrants, many of them teenagers. Regulatory provisions which are very frequently violated

include: 29 CFR 500.76 (Disclosure of Information); 29 CFR 500.77 (Accuracy of Information), and 29 CFR 500.105 (Department of Transportation standards adopted by Secretary)—for transportation of workers more than 75 miles.[33] These intermediaries must be distinguished from *coyotes* as it appears that most long-haul *raiteros* operate entirely within the United States.

MSPA enforcement cannot begin and end at the agricultural employer's property line or even in the communities where farmworkers do farmwork. Farmworker recruitment is a transnational phenomenon and the "domain" under the control of farm labor market intermediaries—all of whom are considered farm labor contractors under the federal regulations—includes sending villages in Guatemala and Mexico, the upstream migrant nodes in border areas of Mexico where northbound migrants assemble, in the border areas, in the areas where transnational migrants assemble to secure *raites* to a job in farmwork, and throughout their cross-country journey from Arizona, Texas, and California to upstream labor markets.

In practical terms, we believe that targeted enforcement efforts by the Department of Labor designed to address the role played by long-haul, cross-country *raiteros* and the farm labor contractors and employers to whom they deliver workers would be likely to have a greater impact on youth participation in the farm labor market than any other single enforcement initiative.

This is because the youngest farmworkers are those who have most recently arrived. Not only are these transnational migrant farmworker youth transported in unsafe vehicles and under unsafe conditions; they are not provided the kind of information about the work locations, terms of employment, or working conditions required under MSPA—although these *raiteros* are clearly "farm labor recruiters" within the meaning of MSPA. Transnational migrant youth's accounts of the arrangements they made with *raiteros* make it clear that in many, but probably not in the majority of the cases, that arrangements have been made for them to be delivered to an agricultural employer.

Enforcement efforts targeted to apprehending long-haul *raiteros* at the point when they deliver their passengers to the farm labor contractors and agricultural employers who "buy" them from the *raiteros* would have the advantage of establishing the nexus between immigrant smuggling and farm labor recruitment and to apprehend all the parties in these illegal transactions at a single point in time. Targeted enforcement of MSPA provisions regarding long-haul *raiteros'* transportation of farmworkers to agricultural employers would also work better if it were designed to coincide with peak seasonal flows. Even a rudimentary analysis of the migration patterns we have observed teenage transnational migrant farmworkers using to go to find U.S. farmwork, provides guidance as to where enforcement of MSPA provisions regarding worker transportation should be targeted.

Another reason for giving priority to targeting the long-haul, cross country *raiteros* is their functional role in the system whereby transnational migrants who seek work in the farm labor

market secure the loan made for their transportation with their labor. Our interviews suggest that *raiteros* taking workers to agricultural employers outside upstream migrant nodes (e.g. Tennessee, North Carolina, Georgia, Kentucky) are those most likely to enter into illegal arrangements that will result in the most abusive debt peonage.

Migrant Health Programs are Not Well-Designed to Serve Transnational Migrant Youth

Access to health care is a serious problem for all transnational migrants and we believe such access is more difficult for teenagers working in U.S. agriculture than for almost any other sub-population among migrant and seasonal farmworkers. Because these youth are the most recently-arrived migrants and because increasing numbers are indigenous migrants speaking limited Spanish and no English, they experience serious cultural and communication barriers to seeking health care, in addition to economic barriers stemming from their low earnings and legal status as unauthorized immigrants.

However, in the case of serious on-the-job accidents, it is likely that emergency care will be made available to teenage farmworkers—with costs being covered by public funding, employer payments, or Workers' Compensation. The most serious problems appear to be in securing medical attention for off-the-job injuries, for injuries that are not serious enough to require emergency treatment, for illness, and for management of chronic conditions or rehabilitative services after suffering an injury.

One underlying set of health care access problems faced by migrant youth is structural. Primary health care programs currently give top priority to delivering services oriented toward improving maternal and child health. These are warranted and important public health investments but they do not do much to contribute to the wellness of a population consisting primarily of working teenagers who are illegal immigrants—only 8% of whom are women.

Another structural problem relates to teenage migrants' mobility, cultural isolation, and unfamiliarity with the U.S. health care system. Even those who succeed in securing medical attention may represent problems in terms of followup treatment.

Although there are attempts in the communities such as Immokalee, Florida and Madera, California that are upstream migration network nodes to staff health care facilities with bicultural and bilingual staff, further progress is still needed. As the proportions of workers speaking Mayan languages, Triqui, Zapotec, Mixtec, Otomi or other languages increase, there will be more and more problems in assuring quality patient care when limited-Spanish farmworkers are ill or injured. Linguistic and cultural problems in communication can compromise the quality of health care for the few youth who can secure access to low-cost or free care. This is a particular concern in efforts to improve adolescents' access to primary health care—since the most recently-arrived migrants are the youngest and are likely to be among the least assertive in seeking and insisting on quality service or in overcoming cultural barriers.

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Another difficulty is that the health risks faced by teenagers working in agriculture in the United States are, in fact, different from those which are prevalent in sending communities. Health education programs highlighting these differences are particularly necessary as part of efforts to educate indigenous youth from remote communities about the health risks they face in the United States which may not have been an issue in their home community —e.g. the dangers of pesticide exposure, "silent" sexually-transmitted diseases such as AIDS, nutritional problems of diets based on fast food, and the hazards of drinking and driving.

Because loneliness, isolation, and depression can increase the risk of drinking and drug use, public health campaigns against substance abuse, particularly those oriented toward countering development of chronic drinking, will also be critical. While we do not see alcoholism as being a current problem among the teenage transnational migrants, it is likely that over time, some will become problem drinkers and that many of those problem drinkers might also become involved in spousal abuse. Organista reports that migrant farmworkers have "a sense of uncertainty and apprehension with regard to the possibility of losing one's self in the US and succumbing to *vicios* [vices] such as alcohol and drugs".[34] This echoes what we heard. The teenagers we talked to seemed very worried about the possibility, seen by some as almost an inevitability, of succumbing to *vicios*.

One of the important findings from our current study relates to the composition of the households of "unaccompanied males" We found that about one-third of the teenage transnational migrant farmworkers in these households live with relatives (cousins, brothers, uncles, in-laws). This suggests the utility of seeking innovative ways to engage these loosely-knit family structures in collective efforts to improve household and community well-being and public health. We think that teenagers in these households are less likely to become involved in alcohol and drug abuse than the *ad hoc* households where male migrants (particularly those who are not part of the locally dominant migrant network) live with casual acquaintances and co-workers. We suspect they also exert an even more marked positive effect in mitigating the risks of unsafe sex, as well as in providing tips of safe working practices on the job. The challenge is to determine how best to support these relatives who do not have the authority of parents in providing advice, guidance, and emotional support to teenagers.

Drawing on child development research and community mental health research on building family resiliency it should be possible to develop ways to support male mentors—uncles, older brothers, older villagers—in quasi-parental roles. At a minimum, articulated public health campaigns should incorporate customized messages oriented to both all-male households of relatives and fellow villagers and to the more chaotic ad hoc households where young men who have met while migrating or working together in the fields live.

It will be necessary to mobilize grassroots peer health workers to reach the high-risk households where teenagers live on their own with friends and co-workers. It will be necessary for public health and migrant health programs to recruit workers who can establish authentic and effective communication with transnational migrant teenagers. However, we have not observed efforts to

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mount such campaigns and, quite specifically we have seen no attempts to staff such campaigns with teenagers from the same ethnic and cultural background as transnational migrants coming to an area. Indigenous teenagers should be recruited, trained, and hired to engage in such efforts.

Much greater investments will be needed in prevention of sexually-transmitted diseases, particularly HIV because of the potential for rapid spread within the sub-population of unaccompanied males and via migration networks to sending villages. It would be irresponsible not to underscore, even at the risk of redundancy, the urgency of initiating a proactive, aggressive, and well-crafted program to counter the possible spread of HIV among transnational migrant teenagers. The structural elements of a transnational epidemic are clearly present in the current farm labor environment. They are: (a) large concentrations of young, unaccompanied men, (b) established prostitution in both the upstream migrant nodes and in-stream labor camps, (c) a low-literate population ill-informed about the risks of unsafe sex, (d) preventive health campaigns which have never been designed or tested to reach indigenous populations, (e) fairly frequent drunkenness, and (f) infrequent return migration to sending villages at holiday time where a high priority is courtship and partying. Fortunately there is virtually no intravenous drug use among the transnational migrant teenagers or the HIV situation would be even more explosive. Current research suggests that HIV infection rates are still low but that there are indications that HIV prevalence may soon rise.[35]

Proactive investments by farmworker service providers in efforts to improve the options for social life for teenage transnational migrants should also be a high priority. Currently, parks and basketball courts are probably the most valuable and only public investment in the mental health of transnational migrant teenagers. Sports facilities are a good beginning but certainly not very proactive or innovative ways to support positive mental health for adolescents who are separated by thousands of miles from parents, siblings, relatives, friends, girlfriends, or wives. Innovative uses of information technology, for example, strategically placed Internet kiosks which afforded transnational migrants access to a "Lost Relatives" bulletin board might help ameliorate the confusion and crisis which arise when relatives moving through the constantly-changing networks of a migrant circuit lose contact with each other. These sorts of investment in improving community mental health could be sponsored or led by virtually any type of organization which has a sound ongoing relationship with migrants, or by a community task force or coalition.

Risky travel is almost by definition, part of the environment in which transnational migrant teenage farmworkers live. Word of mouth serves to make migrants aware of some, but not all, of the risks of illegal border crossing and cross-country *raites*. In an ideal world, word of mouth might be supplemented with public media campaigns. Such campaigns should be binational and be targeted to known migrant-sending regions of Mexico and Guatemala. Similar media campaigns in the United States might well be targeted to the upstream migrant nodes where transnational migrants are concentrated; they might, also, be seasonally targeted to reach migrants who are about to return home to Mexico, e.g. at the end of the spring harvest season in Florida and at the end of the fall harvest season in California.

In addition to the commonly discussed and well-known risks of border-crossing, there should be special media-based efforts to promote awareness of the very real risk of injury in the cross-country trip with a *raitero* and the implications of entering into an agreement entailing indentured servitude—since some of these may well escalate into active coercion and worker abuse.

Our sense from our discussions with migrants is that there is a fairly clear picture of the general kinds of risks they face but not such a clear-cut idea of the probability of having an accident or injury or of the possible consequences of a teenager running out of money, getting lost, or indentured servitude. Migrant after migrant has told us that people at home don't know how bad it is in the United States. Certainly these youth might themselves tell others in their village how bad things really are in U.S. farmwork but there is a strong temptation to minimize the importance of "bad things" and exaggerate the "good things" that happen to the teenagers who migrate north. Homecoming is usually accompanied with conspicuous display of U.S. acquisitions; it is not surprising that the teenagers who return do not dwell publicly on how hard the work was, how confusing life was in the U.S., and how they went through spells of loneliness and depression.

A particularly promising public-health based binational initiative might be a campaign designed not to stop migration to the United States but, instead, to delay migration. The experience in pro-social media campaigns and in public health campaigns has almost always been that it is not possible to counter large-scale, social and cultural forces but that it *has* been possible to nudge behavioral patterns at the edges, e.g. to convince a prospective 14 or 15 year old migrant that he or she should wait just one year before deciding to come north. The Mexican government has been attempting to improve elementary and middle school participation in rural areas—but with only moderate success. While interventions to delay migration clearly must be put in place in migrant-sending villages, it is important to recognize that campaigns in migrant-receiving areas, the upstream migrant nodes, can also have a significant impact.

Finally, our research suggests that advocates concerned about the well-being of the children and teenagers who themselves work in agriculture should recognize that the occupational health risks which stem from participating in farmwork in general (e.g. dangerous transportation, indentured servitude with its attendant psychological or physical violence, overcrowded housing, substandard plumbing, inadequate heating, dangerous cooking facilities) are probably more serious than the well-recognized workplace health risks. The field work tasks performed by transnational migrants are generally among the safest in agriculture. Harvest tasks probably involve less exposure to pesticides or proximity to dangerous equipment than pre-harvest or post-harvest tasks.

The top priority for occupational health research regarding the on-the-job risks faced by working farmworker youth would be analysis of injuries by type of employment (i.e. by a farm labor contractor or by direct hire by an agricultural employer) and employer characteristics (e.g. established large farm labor contractor, "fly-by-night" *troquero* or *pintero*, history of DOL enforcement actions against the employer, mode of worker recruitment). In modeling terms,

"type of employer" and "crop-task" must be combined to begin to discriminate between high-risk and low-risk work environments in agriculture.

Priority should really be given to a careful analysis of the cumulative impacts of living the life of a child or teenager working in agriculture not simply to the arbitrarily small slice of a working youth's life when he or she is physically present on the property of an agricultural producer. In pesticide-related research, this would, for example, necessarily include year-round surveillance, to assess cumulative exposure for the high-risk group of young teenagers who work in both northern Mexico and the United States, careful ethnographic data collection about the extent and type of work performed by youth, and efforts to identify high risk sub-populations such as unaccompanied transnational migrant youth living in households with other teenagers, or teenage women who, despite their small numbers, are a concern because of possible effects during pregnancy.

Implications for MSFW Housing Programs

Like education and public health programs, current farmworker housing programs do little to improve the well-being of transnational migrant teenagers working in farmwork because priority is always given to building family housing while the working teenagers are usually living in groups of unaccompanied males—with friends or uncles, cousin, and brothers or simply with friends. Program guidelines for eligibility for migrant farmworker housing have also resulted in a situation in which settled farmworker families are most likely to be able to access limited publicly-subsidized farmworker housing.

Effective efforts to improve the deplorable living conditions in which virtually all migrant children and teenagers who work in agriculture live would need to be redesigned to (a) eliminate consideration of immigration status as a criterion for access to farmworker housing, (b) improve equitable access to farmworker housing—affording indigenous farmworkers the same access as Tejano and long-term *mestizo* farmworkers, and (c) assure housing access for groups of unaccompanied males.

There are real policy dilemmas in connection with federal decisions regarding strategies to address farmworker housing needs. There is a bona-fide policy justification for efforts to keep farmwork "friendly for families" since, currently, there is such a strong bias in the agricultural labor market against farmworker families with young children. These sorts of considerations have entered into farmworker housing policy and they are not necessarily objectionable, but it should be recognized that such a policy does pit one subgroup of farmworkers against another and that the living conditions of working teenagers continue to be appalling—at least in the areas which we observed in our case study research.

An immediate, policy-neutral course of action to improve the housing conditions of teenagers working in agriculture would be for housing agencies and service providers to participate financially in legal service and community-based organizations' efforts to inform migrant

farmworkers of their rights as tenants and to provide advice and support in resolving tenant-landlord problems, including landlords' failure to make necessary repairs to housing as well as in countering illegal evictions.

In the long run, policy attention should be given to the widespread current practice of providing transnational migrants with housing on a "slot basis"—that is, a charge for each occupant of rented housing as opposed to a charge for use of the housing unit (trailer, apartment, single-family dwelling) itself. This type of arrangement leads to exorbitantly high rents (e.g. $1,000/month for a dilapidated trailer in Immokalee, FL) and undermine the landlord-tenant relationship, leading, almost inevitably, to deterioration of housing units—with landlords blaming workers for the dilapidated condition of housing although, in many such cases, the landlord has failed to make any repairs for years.

New Strategies Have Promise for Managing the Influx of Transnational Migrant Youth into the U.S. Farm Labor Market

Our current research reinforces reports by farm labor researchers over the past decade that the immigration control provisions of IRCA are ineffective. Agricultural employers' concerns about their legal liability for employing a workforce which consists primarily of workers not authorized to work legally in the United States are well-justified—although the industry's policy argument that this illegal behavior should be rewarded by changing the laws to sanction employers' currently illegal practices is a more difficult mental leap.

Our observations and discussions with transnational migrant youth suggest that INS border control activities and employer sanctions do not significantly impede transnational migrants' access to the U.S. agricultural labor market. The INS role probably exerts a deterrent effect on migration in that the high cost keeps some potential migrants who may be "cliff hangers" from coming north.[36] But the overall deterrent effects are probably modest—given the findings from extensive research on lifetime probabilities of northward migration from sending villages and interviews with both apprehended and non-apprehended border-crossers. The negative consequence of increasing migration cost as a strategy of border control is that as cost escalates, so does the prevalence of migration-financing schemes which, ultimately, result in the indentured servitude of newly-arrived farmworkers. Thus, border control, in its current form, serves, among other functions, as a government structural intervention that enriches immigrant smugglers and strengthens the control of unscrupulous farm labor contractors over newly-arrived transnational migrants.

A rational, but politically untested, strategy based on the principle of managing Mexico-US migration rather than expensive and futile efforts to "control" migration would be to develop an "open border" binational labor policy which acknowledged the reality of a de-facto North American labor market.[37]

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One variant of such a strategy might be to officially sanction transnational migrants coming to work in U.S. agriculture, thereby undercutting the underground market service providers' costs of transporting migrants to agricultural employers. Such a permitting process might, for example, allow transnational migrants to purchase an agricultural work permit for a fee of $800 and charge agricultural employers $800 for each such transnational migrant employed. It should be noted, however, that such a solution is very different from the "guest worker" solution which subverts market forces by: a) linking prospective workers to the employer who sponsors them and b) perpetuates an unwieldy and ineffective governmental process for reviewing and certifying the "need" for guestworkers. In contrast, this solution would move government out of the business of intervention in assessing the labor market while revenues might be used to fund more effective enforcement of current federal and state employment law.

This sort of legalization of Mexico-US migration for a fee would serve to undercut what has become a booming underground industry in transporting migrants to U.S. farmwork, and would about $160 million annually in public revenue (assuming there are currently about 115,000 illegal migrants paying a *coyote* or *raitero* to enter the country each year to work in agriculture).[38] While the argument against such an approach is that it would further contribute to the development of a dual labor market in the United States, the opportunity costs entailed for workers in the United States to work in peak harvest tasks mean that few want to do this work and that, under the status quo, transnational migrants will continue to fill these jobs and continue to work under conditions which make it very easy for them to be exploited.

Such a "agricultural work permit for a fee" strategy would obviously be highly controversial but it is useful to recognize that the current policy of officially sanctioning a permeable border and a permeable labor market is tacitly "licensing" an underground industry of *coyotes* and *raiteros* to generate more than $150 million in fees paid by transnational migrants to circumvent ineffective immigration policies. If federal revenue generated by the sale of border-crossing permits and agricultural employer permits were earmarked for enforcement of even the modest labor laws currently on the books, there might even be some upward pressure on farmworker wages.

However, more than half the total costs of migration for workers headed toward U.S. farmwork is attributable to the services of *raiteros*, many of them U.S. citizens, operating entirely within the United States. Payments made to these *raiteros* by newly-arriving migrants are not really for migration services but for the service of connecting a new migrant to the U.S. farm labor market. "Tightening the border" does nothing to affect this component of migration costs. The high prices paid by migrants who contract with a *raitero* to deliver them to an employer suggest that the primary barrier to U.S. employment is making the worker-employer connection, a connection that may be brokered solely by a *raitero* or jointly by *raiteros/coyotes* and the farm labor contractors with whom they work.

The sort of effort we described above in connection with the public health implications of our research—binational efforts to delay not "control" northward migration of young teenagers—would be an important element in proactive immigration policy because a) it has a good chance

of yielding an immediate and significant impact and b) because the benefits of even one additional year of schooling and a delay of even one year in confronting the harsh realities of work in U.S. agriculture has such promise for enhancing transnational migrant teenagers' personal development.

Summary

The most fundamental implication of our research on the living and working conditions of the youth working in U.S. agriculture is that the development of effective enforcement and intervention strategies requires careful attention to the realities of the social and economic environment in which this vulnerable population works. Without attention to the dynamics of transnational migration and a commitment to at least initiating binational collaborative efforts with Mexico, and eventually; with Guatemala, little progress can be made.

Without a commitment to the well-being of <u>all</u> the children and teenagers working in U.S. agriculture, irrespective of immigration status, there will be little real impact from a variety of otherwise promising efforts. The problem is not that we do not know enough to act effectively; the problem is that we are not prepared to do enough or even to try to do enough to confront the persistent and pervasive problems which are faced on a daily basis by the most vulnerable workers in the MSFW population.

Notes

[1] These names are all pseudonyms.

[2] We assume a total farm labor force of at least 1.8 million in 2000-2001 since the number of days of employment per farmworker continues to fall, meaning that more workers are being used to meet labor demand. Thus the NAWS-based 7 % figure implies about 126,000 14-17 year olds. We estimate there are about another 30,000 11-13 year old farmworkers—based on the age distribution of the working children and youth with whom we spoke in the current study (See **Table 1**, p. 3), and our assumption that there is a slight over-representation of youth in the crop-tasks we observed in the case study communities.

[3] Agustin Escobar Latapi, "Propuestas para la legalizacion del mercado de trabajo agricola binacional", 2000. The data relate to apprehensions; we believe the increases are likely to reflect actual increases in flows as well as a higher rate of apprehensions among minor women than among migrants overall.

[4] The sample includes five children who began working at age 11—three boys and two girls. Quite a few Oaxacan farmworkers had children who had begun working at age 8 or 9 in agricultural production in Northern Mexico but only went to the U.S. when they were a few years older.

[5] This theme was first reported in case study research for the Commission on Agricultural Workers and arose in the current study in talking with employers and labor contractors in Oregon—the only case study area where employer-controlled housing is commonly provided.

[6] The heyday of family crews was in the late 1950's and early 1960's (Nodin Valdez 1991; Briody 1984) PCUN has seen the proportion of children working in Oregon strawberries—a crop where there has historically been extensive reliance on child labor—decrease dramatically over the past decade. Almost two-thirds of the farmworkers in the 1997-1998 period are "unaccompanied" (NAWS 2000).

[7] Time in the U.S. is from last entry for shuttle migrants, i.e. migrants who have traveled between a sending village and the U.S. more than one time.

[8] An important issue to address in future research will be the rate at which transnational teenagers circulate between sending villages and major agricultural areas.

[9] Of course, not all farm labor force exits consist of workers who age out of farmwork. However, we assume that there is equilibrium among mid-career entrants and exits, i.e. those dissatisfied farmworkers who return home and new migrants who arrive as 20-40 year olds.

[10] Accurate estimation of stocks and flows of workers <18 years of age is not straightforward—as there are uncertainties relating to annual rates of return migration, the composition of the workers who are pre-teens, and the crop-task distribution of these workers. As such, this is a preliminary estimate. The considerations in our estimate are the following. NAWS data show that about 69% of the farm labor force are "field workers" (i.e. unskilled workers in pre-harvest, harvest, and post-harvest tasks). This implies about 82,000 new transnational migrants each year of whom about half, that is 40,000, are <18—based on the distribution of "first year worked in U.S. agriculture" reported by NAWS respondents (49% of whom started U.S farmwork when they were <18). Where there are many uncertainties is in determining the duration of newly-arrived teenagers' work in U.S. agriculture—i.e. how many return home after one year of work or less, and how many remain for several more year. Further research will be needed to develop more precise estimates—taking into account both very-short term workers and attrition. Of course, if the ratio of new comers to teen workers aging out of the youth labor force is greater than 1, this would indicate that the labor force is gradually accruing more teenage workers. The age distribution of the NAWS youth suggests that about 35,000 17 year-old teenagers "age out" of the study population (by turning 18) each year and we estimate that 10,000-15,000 of these workers are transnational migrants. Binational research in migrant-

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sending villages as well as in U.S. farm labor market communities will be required to improve these preliminary estimates of the dynamics of the binational youth labor market.

[11] Only 13% of the youth we talked to are clearly from a non-indigenous sending region (e.g. San Luis Potosi, DF, Jalisco). However, a small number of the migrants from Chiapas and Oaxaca were not from an indigenous group. Some sending states such as Hidalgo send both *mestizo* and indigenous migrants north.

[12] These terms all refer to farm labor market intermediaries. The term *contratista* refers to a farm labor contractor, while the term *troquero* (used primarily in the Eastern migrant stream as it traditionally was used to refer to the Texas-based crewleaders who brought neighbors from *colonias* to work in Florida) also refers to a labor contractor. In contrast, *mayordomos* are field supervisors employed by a producer. *Raitero* is a loan word from English, referring to someone who charges for a ride to a farm labor job—but in many cases, these intermediaries are, also, labor brokers.

[13] We secured information on travelling arrangements from 148 transnational migrants. None of the few young women (8% of the total) who are transnational migrants had come north on her own without relatives.

[14] Because youth make up only 7% of the total farm labor force it was not analytically feasible to examine distribution of work among different crop-tasks. Therefore we aggregated all crop-tasks worked in each crop into a single category representing all tasks related to production of that crop. As can be seen in the table, it was also necessary to aggregate related crops to yield adequate numbers for analysis.

[15] It must, however, be recognized that the confidence intervals for the distributions of teenage workers are quite broad due to sample size.

[16] These include female-headed households, households where an adult wage earner is disabled, and households which seem to be unusually fluid as family members move from living with one group of relatives to another.

[17] Antonio Flores memo to Ed Kissam, October 2, 2000.

[18] We categorize all-male households as being households of unaccompanied men—even if they are related-- because these households are more akin to the households consisting entirely of friends or casual acquaintances than they are to nuclear or extended family households where the family unit includes one or several women. As we detail in the full report, there is really a continuum of households in terms of living arrangements.

[19] One of the most consistent findings in research on U.S. farmworkers of Mexican origin is that educational attainment is inversely related to age since prevailing educational attainment in rural areas has risen continuously over at least the past two decades. We do not have specific information on the situation in Guatemala but national-level data from the Inter-American Development Bank and the World Bank show that prevailing educational levels continue to be very low.

[20] For example, analysis of NIOSH data collected via the National Electronic Injury Surveillance System (NEISS), which samples hospital emergency departments for farm-related injuries, demonstrated that youth injury rates were higher than or comparable to older age groups, and identified contact with objects and equipment as a leading cause of injury: ttp://www.cdc.gov/mmwr/preview/mmwrhtml/00054662.htm

[21] CDC/MMWR Weekly, April 9, 1993 "Green Tobacco Sickness in Tobacco Harvesters-Kentucky, 1992"

[22] In 1999, the ACLU and the California Rural Legal Assistance Foundation requested that the United Nations Human Rights Commission condemn Operation Gatekeeper which had, according to their tabulations, resulted in 389 deaths over the previous five years.

[23] East Coast Study #2 (ECS2), Arizona Field Notes (Anna Garcia), p.3.

[24] "The Price of Hope," *Albuquerque Journal*, January 31,2000.

[25] Jill Higgins, *Naples Daily News*, "Trio held on slavery, extortion charges in alleged farmworker smuggling operation" April 29, "Hearing for Slavery Suspects Delayed," May 6 and "Two Men plead guilty to federal charges in farmworker slavery case," May 27, 1999.

[26] In Immokalee, Guatemalan Maya, both teenagers and adults are very apprehensive about walking through the wrong part of town after dark. We have often been asked if we could give workers rides home not because they minded walking but because they feared violence.

[27] Assuming a best-case scenario in which an arriving transnational migrant teenager succeeds in grossing $180 per week, it would be difficult to pay off a $1,000 loan in less than 2-3-months since even minimal living costs ($25 rent, $30 food, $5 laundry) are at least $60 per week.

[28] In June, 2000, the Center for North American Integration and Development at the University of California, Los Angeles brought together Mexican, U.S., and Canadian delegations to discuss the conditions of farmworkers in the post-NAFTA era. This sort of initiative is valuable but there was inadequate attention to the huge gap between an impressive framework of legislative and regulatory provisions designed to benefit farmworkers and the actual conditions of daily life.

[29] Perhaps the most promising efforts to address these issues have been those of the U.S. Department of State as part of the 1998 Santiago Summit of the Americas process.

[30] However, even macro-level analyses from binational research can provide valuable insights. Agustin Escobar Latapi of CONAPO, for example, has recently analyzed apprehension data from the Instituto Nacional de Migracion which indicate dramatic increases in the proportion of minors in Mexico-U.S. migration—up from 4.4% of total transnational migration flows in 1998 to 10.3% in 2000. (Escobar Latapi, 2000d-draft).

[31] The reinstatement of Section 245(i) under LIFE probably helped a small number of these youth adjust status but the actual impact cannot be assessed because the "window" of opportunity for status adjustment was only open for 3 months, applicants needed to have been physically present in the U.S. on 12/21/00, and the numbers affected by this provision is unknown.

[32] These include, in addition to minimum wage provisions, requirements to keep adequate payroll records containing the information specified under 29 CFR 500.80.

[33] It is likely that the insurance provisions of 29 CFR 500.121 are also violated but our study generated no information relating specifically to this, although we do not believe the *raiteros* we observed would have secured or been able to secure the $1,000,000 to $2,000,0000 coverage required for loads of 10-20 workers.

[34] Kurt C. Organista (forthcoming, 2001)

[35] Kurt C. Organista and Pamela Balls Organista, "Migrant Laborers and AIDS In the United States: A Review of the Literature", in AIDS Education and Prevention,9, 1997.

[36] An excellent in-depth synthesis of research in this area can be found in Peter Andreas, **Border Games: Policing the U.S.-Mexico Divide**, Cornell University Press, 2000.

[37] However, a recent piece by Gary Becker, "Mexican Immigration: Don't Open the Doors Wide Yet", **Business Week**, October 23, 2000, despite its anti-immigrant conclusions, supports the view that Mexico-US migration may in the post-NAFTA area become self-controlling and justify an open border policy.

[38] This is consistent with our estimate of a net of 86,000 new entrants to U.S. agriculture per year, but it should be noted that: a) the volume of unauthorized border-crossers is higher than net entrants (since there are, in addition to replacements for farmworkers aging out of farmwork also "mid-career" farmworker replacements who are part of the churning of the labor force and continuing transnational migrant workers who have returned home for the holidays or a special event such as a wedding or a funeral) and b) some experienced migrants do not pay a coyote or *raitero* since they are already knowledgeable about how to cross the border or because a family member assists them without charge.

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